

Remarks

Applicants respectfully request reconsideration of this application as amended.

Claims 1, 21, 26 and 33 have been amended. No claims have been cancelled. Therefore, claims 1-33 are presented for examination.

Claims 1-5, 9, 20-21 and 25 stand rejected under 35 U.S.C. §102(a) as being anticipated by JP Pub No. 2001-016655. Also, claims 6-8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over JP Pub No. 2001-016655 as applied to claim 1 above, and further in view of Chorley et al. (U.S. Patent No. 4,634,807). Further, claims 14 and 23 stand rejected under 35 U.S.C. §103(a) as being unpatentable JP Pub No. 2001-016655 as applied to claim 2 above, and further in view of Dayan et al. (U.S. Patent No. 5,574,786). In addition, claims 15 and 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable JP Pub No. 2001-016655 as applied to claim 2 above, and further in view of Hale et al. (U.S. Patent No. 5,355,414). Moreover, claims 16-17 stand rejected under 35 U.S.C. §103(a) as being unpatentable JP Pub No. 2001-016655 as applied to claim 2 above, and further in view of Stein (U.S. Patent No. 6,370,250). Finally, claims 18-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable JP Pub No. 2001-016655 as applied to claim 2 above, and further in view of JP Pub. No. 08-251660.

Applicants submit that the present claims are patentable over any combination of references provided in the above rejections. Further, applicants submit that none of the cited references disclose or suggest erasing all applications and data stored on a device if a number of attempts exceed a predetermined number of attempts for a valid password entry.

However, the Office Action has cited the JP Pub No. 2001-016655 as disclosing such a feature.

The JP Pub No. 2001-016655 discloses secrecy information storage means that stores secrecy information of a portable terminal, a dummy secrecy storage means that stores dummy secrecy information. When a detection means detects a number of password entry failures in excess of a processing value, the detection means outputs a control signal to a control means. The control means transmits an encryption signal to a public key encryption means, which uses a public key to encrypt the secrecy means. Also, the control means deletes the secrecy information and replaces the encrypted secrecy information with the dummy secrecy information. See JP Pub No. 2001-016655 at Abstract.

Claims 1, 21 and 26 of the present application recite a process of erasing all applications and data stored on a device if the number of attempts exceeds the predetermined number of attempts for a valid password entry. Applicants submit that no such process is disclosed or suggested in the JP Pub No. 2001-016655 reference. Instead, JP Pub No. 2001-016655 discloses deletes the secrecy information and replaces the encrypted secrecy information with the dummy secrecy information, which is not equivalent to erasing all applications and data stored on a device if the number of attempts exceeds the predetermined number of attempts for a valid password entry.

Thus, claims 1, 21, 26, and their respective dependent claims are patentable over the JP Pub No. 2001-016655 reference, or any combination of the JP Pub No. 2001-016655 and the other cited references, since JP Pub No. 2001-016655 does not disclose or suggest erasing all applications and data stored on a device if a number of attempts exceed a predetermined number of attempts for a valid password entry.

Claim 33 stands rejected under 35 U.S.C. §102(b) as being anticipated by Jakobsson. Applicants submit that claim 33 is patentable over Jakobsson (U.S. Patent No. 6,501,380).

Jakobsson discloses a protected device, which may normally operate in a first state of normal operation. A first event may cause the protected device to go into a second state of alert where the protected device still operates normally but additionally provides warnings to a user. For example, during the second state of alert a user may be warned that an access code needs to be entered to prevent degradation or altering of the operation of the protected device. The first event may be triggered or may depend on one or more sub-events some of which may occur with some probability and some of which may automatically occur or may be deterministic. If a second event occurs prior to the user providing an access code then the protected device would transition from the second state (normal operation with warnings) to a third state in which the operation of the protected device would be altered or degraded. The second event may be based on one or sub events some of which may be probabilistic and some of which may be deterministic. If the user enters the correct access code during either the second state (warnings) or the third state (altering or degradation of operation), then the protected device would go back to the first state (normal operation, no warnings and no degradation). See Jakobsson at Abstract.

Claim 33 of the present application recites erasing all applications and data stored on the device if the predetermined time period has expired. Applicants submit that nowhere in Jakobsson is there disclosed such a feature. Thus, claim 33 is patentable over Jakobsson.

Claims 10-12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over JP Pub No. 2001-016655 as applied to claim 1 above, and further in view of Jakobsson. Applicants submit that the present claims are patentable over JP Pub No. 2001-016655 in view of Jakobsson. As discussed above, JP Pub No. 2001-016655 does not disclose or suggest a process of erasing all applications and data stored on a device if the number of

attempts exceeds the predetermined number of attempts for a valid password entry. Further, Jakobsson does not disclose or suggest erasing all applications and data stored on a device if the number of attempts exceeds the predetermined number of attempts for a valid password entry. Therefore, any combination of JP Pub No. 2001-016655 and Jakobsson would not disclose or suggest erasing all applications and data stored on a device if the number of attempts exceeds the predetermined number of attempts for a valid password entry. As a result, the present claims are patentable over combination JP Pub No. 2001-016655 in view of Jakobsson.

Applicants respectfully submit that the rejections have been overcome and that the claims are in condition for allowance. Accordingly, applicants respectfully request the rejections be withdrawn and the claims be allowed.


The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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